

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NEW ENGLAND REINSURANCE CORPORATION,

Petitioner,

VS.

WESTCHESTER FIRE INSURANCE COMPANY,
(as SUCCESSOR to INTERNATIONAL INSURANCE
COMPANY) (ACE USA CO.)

Respondent.

C.A. No. 04-11398 WGY

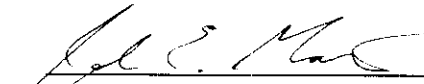
DECLARATION OF JOHN E. MATOSKY IN PROOF OF SERVICE

I, John E. Matosky, declare under penalty of perjury as follows:

1. I am an attorney with the firm Prince, Lobel, Glovsky & Tye LLP, counsel for the petitioner, New England Reinsurance Corporation (“NERCO”) in this matter.
2. On or about June 22, 2004, I caused a summons and a copy of NERCO’s Petition to Confirm Arbitration Award to be served on the respondent, Westchester Fire Insurance Company (as Successor to International Insurance Company) (ACE USA Co.) (“ACE”), by delivering a copy, along with the applicable fee, by certified mail to the Massachusetts Commissioner of Insurance, in accordance with Mass. Gen. L. c. 175, §§ 151(3) and 154. A true and accurate copy of the June 22, 2004 letter is attached hereto as Exhibit 1.
3. On or about June 29, 2004, I received confirmation from the Commissioner of Insurance that it had received service on behalf of ACE and had caused a copy of NERCO’s Petition to Confirm Arbitration Award to be delivered to ACE at its principal place of business in the

manner prescribed by Mass. Gen. L. c. 175, § 154. The original return of service from the Commissioner of Insurance is attached hereto as Exhibit 2.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED THIS 13th DAY OF JULY 2004.


John E. Matosky

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each (other) party by mail (by hand) on 7/13/04.

